

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

| | | |
|--|--|--|
| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES | | Docket Number (Optional) 12810-00682-US |
| In re Application of Rudolf C. Barendse et al. | | |
| Application Number 09/089,871-Conf. #3289 | | Filed June 4, 1998 |
| For HIGH ACTIVITY PHYTASE COMPOSITIONS | | |
| Art Unit 1652 | | Examiner D. M. Ramirez |

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

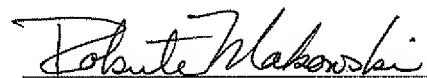
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 03-2775. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: INFORMATION ON THIS FORM MAY BECOME PUBLIC. CREDIT CARD INFORMATION SHOULD NOT BE INCLUDED ON THIS FORM. PROVIDE CREDIT CARD INFORMATION AND AUTHORIZATION ON PTO-2038.

I am the

- applicant /inventor.
- assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)


 Signature
Roberte M. D. Makowski, Ph.D.
Typed or printed name

- attorney or agent of record.

Registration number 55,421

(302) 658-9141

Telephone number

- attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34.

December 9, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

| | |
|--------------------------|----------------------------------|
| <input type="checkbox"/> | *Total of 1 forms are submitted. |
|--------------------------|----------------------------------|

612567_1